

## Vehicle Located Out of State—Temporary Smog Exemption

Effective: July 1, 2014

### New Policy

Effective July 1, 2014, when a vehicle owner submits a vehicle registration renewal application and requests a **temporary** biennial smog exemption for a vehicle that is located out of state:

- The vehicle owner must complete an Application for Temporary Smog Exemption for a Vehicle Located Out-of-State (REG 5103) form, Statement of Facts (REG 256) form, or letter. The REG 5103 is available at <http://www.dmv.ca.gov/forms/reg/reg5103.pdf> (see attached sample).
- The REG 5103, REG 256, or letter must be submitted to the Department of Motor Vehicles (DMV) with the renewal application to determine if the vehicle qualifies for the exemption

### Temporary Smog Exemption Request

If a REG 5103 is not available, a vehicle owner may request a temporary biennial smog exemption for a vehicle that is located out of state on a REG 256 or letter. However, the REG 256 or letter must state the:

- Complete out-of-state address where the vehicle is physically located or garaged. A post office box or general delivery address is **not** acceptable.
- Reason the vehicle is temporarily out of state.
- Reason the vehicle cannot be or is not required to be registered in the state where it is located.
- Date when vehicle will return to California. If the date is **not** available, state “unknown.”
- Required smog certification will be obtained and submitted to DMV upon the vehicle’s return to California.
- Contact information of the person operating the vehicle out of state.
- Registered owner’s printed name, telephone number, mailing address, and signature.

### Business Partner Automation Program Participant Procedures

When the application contains a REG 5103, REG 256 or letter requesting temporary smog exemption, submit the application to DMV for processing.

### Transfer of Ownership Procedures

Continue to follow current procedures in the Smog Certification Requirements for Transfers section in *Vehicle Industry Registration Procedures Manual*, Chapter 11.

<b>NOTE:</b> The REG 5103 is not required for transfer of ownership.
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### Background

The REG 5103, frequently asked questions (see attached), and clarified procedures were developed to ensure consistent application of the temporary biennial smog exemption.

The *Vehicle Industry Registration Procedures Manual* will be updated to reflect the new policy.

**Distribution**

Notification that this memo is available online, at [www.dmv.ca.gov](http://www.dmv.ca.gov) under Publications was made via California DMV's Automated E-mail Alert System in June 2014.

**References**

*California Vehicle Code* §§20, 1653, and 8800

*California Health and Safety Code* §§44011 and 44011.1

*Vehicle Industry Registration Procedures Manual*, Chapter 11

**Contact**

Call the DMV Customer Communications Section, at (916) 657-6560 for further clarification of this memo. Upon request, this document can be produced in Braille or large print.

A handwritten signature in black ink, appearing to read "Dana Halley". The signature is fluid and cursive, with a long horizontal stroke at the end.

Dana Halley, Acting Deputy Director  
Communication Programs Division

Attachments (2)

## **TEMPORARY SMOG EXEMPTION FOR A VEHICLE LOCATED OUT OF STATE**

### **FREQUENTLY ASKED QUESTIONS**

**Q. What is the Department of Motor Vehicles (DMV) authority for requiring additional information and for suspending, canceling, or revoking a vehicle registration?**

A. *California Health and Safety Code* §§ 44011 and 44011.1, and *California Vehicle Code* §§ 20, 1653, and 8800.

**Q. Why is a physical address required? Is a post office box acceptable?**

A. A valid physical address where the vehicle is located or garaged is required for verification purposes. A post office box or general delivery address is not acceptable.

**Q. What are the most common reasons a vehicle is located out of state?**

A. Common reasons include, but are not limited to:

- The vehicle owner's child is attending school out of state.
- The vehicle owner's job assignment is out of state.
- The vehicle owner owns property out of state.
- Personal reasons (family illness, etc.).

**Q. Can a California-registered vehicle be registered in another state at the same time?**

A. Yes. California and most other states allow dual registration. Registration information, including information on dual registration, is usually available on the state's official website.

**Q. Can the person operating the vehicle out of state be someone other than the vehicle owner?**

A. Yes. Anyone (family member, friend, co-worker, the vehicle owner, etc.) may be the operator while the vehicle is located out of state.

**Q. Does the vehicle have to be continuously located out of state to be eligible for the exemption?**

A. Yes. The vehicle must continuously be located out of state to be eligible for the temporary exemption. When the vehicle returns to California, even for a short period of time, the vehicle owner must obtain the required smog certification.

**Q. What if the vehicle owner states the date the vehicle will return to California is unknown?**

A. An approximate date of return or "unknown" is acceptable on the REG 5103, REG 256, or letter.

**Q. What if the vehicle owner states the vehicle will never return to California?**

A. The temporary smog exemption is for a vehicle that is "temporarily" located out of state. If the vehicle is permanently located out of state, advise the customer to register the vehicle in the state where it is located and to send a Change of Address (DMV 14) form marking the box labeled "check if registered outside of CA."

**Q. Does the vehicle owner need to notify DMV when a smog certification is obtained upon the vehicle's return to California?**

A. No. When the vehicle owner obtains the required smog certification, the smog information will be programmatically updated by DMV.

**Q. When the smog certificate is received, how does it affect the vehicle record?**

A. The smog due date will be updated and rolled over to the expiration date plus one year, which will bring the vehicle back to its normal smog cycle.

